



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2401843
Applicant Name : Lisa Smith
Address of Proposal: 2832 Southwest Genesee Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two (2) lots (Unit Lot Subdivision). Proposed lot sizes are: A) 3,200.5 square feet, and B) 3,200.5 square feet.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into two lots, a unit subdivision. (Chapter 23.24.046, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND

Site and Vicinity Description

The approximately 6,401.5 square foot property is located on the north side of SW Genesee Street in the Delridge neighborhood of West Seattle. Pedestrian and vehicle access to the site is from SW Genesee Street. The lot contains a 1980's era duplex that is proposed to be unit lot subdivided.

The subject lot and all surrounding lots on this block are zoned Lowrise 1 (L1). Adjacent lots to the subject site contain similar 1980 era duplex structures. To the north of the subject site the lots contain mainly older single family structures. Across SW Genesee Street is the public West Seattle Golf Course.

Proposal

The proposal is to subdivide one lot into two (2) unit lots. The parent lot is approximately 6,401 square feet in area. The proposed lot sizes are: A) 3,200.5 square feet, and B) 3,200.5 square feet. Vehicle and pedestrian access for proposed Unit Lots A and B will be from the SW Genesee Street.

Public Comments

The comment period for this proposal ended on April 21, 2004. No comment letters were received.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing tree;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Building Plans Examiner, the Drainage Section, the Fire Department, Seattle Public Utilities, City Light; and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned Multi-Family Lowrise 1 (L-1) and all development must conform to the requirements of the applicable provisions of the Seattle Municipal Code (SMC) at the time of construction. These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. The existing duplex structure was legally constructed in 1980 and met the applicable provisions of the Seattle Municipal Code at that time.

The allowable density of the subject property is one dwelling unit per sixteen-hundred (1,600) square feet of lot area. The lot area is approximately 6, 401 square feet, hence four (4) dwelling units are allowed. Maximum lot coverage is fifty (50) percent for townhouse units (SMC 23.45.010.A.1). Total lot coverage of the duplex structure is approximately twenty-five (25) percent. Required parking for all units is provided on site and is accessed from SW Genesee Street. Pedestrian access to all units is from SW Genesee Street. Open space is provided for each unit in excess of that required for this type of structure in this zone.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Vehicle access for all units is provided as described in *Criterion 1* above.

All utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. City Light has reviewed the proposal and requires an easement (#24013113-3-013) to provide for electrical facilities and service to the proposed lots, which must be included on the final plat. (Attachment A)

The Seattle Fire Department has reviewed and approved the proposed unit lot subdivision for the provision of adequate emergency vehicle and personnel access.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

Review for drainage and sanitary sewage disposal indicates these services are adequately provided for this unit lot subdivision.

Seattle Public Utilities (SPU) has reviewed this proposal and assures water availability access for all parcels (Water Availability Certificate # 2004-0397). The SPU reviewer has indicated that a separate water meter for the currently un-metered lot will be installed following this subdivision.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

Unit Lot Subdivision allows for the subdivision of common wall (attached) ground related townhouse structures and residential cluster developments amongst other housing types. Ground related townhouse structures are allowed outright in the L-1 zone. This process therefore makes possible separate ownership of individual units that otherwise would be owned by one party and consequently some or all unit lots would be available on a shared ownership or rental basis only.

The proposed unit lot subdivision meets the minimum provisions of the Seattle Land Use Code for L-1 development regulations and the applicable approval criteria for short platting.

The public use and interests are thereby served by permitting the proposed division of land.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240, therefore this criterion does not apply.

6. *Is designed to maximize the retention of existing trees;*

This unit lot subdivision will have no impact on any existing on site trees. The structure to be subdivided was built in the early 1980's and no new construction is proposed as a part of this subdivision.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

The existing duplex structure was previously approved for construction and conforms to the applicable development regulations in place at that time. Pursuant to SMC 23.24.045(A and B), sites developed with townhouses may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards at the time of approval. To assure that future owners have constructive notice that additional development may be limited due to nonconformities the following statement shall be required to be included as a note on the final short subdivision: *The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited because of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.*

Summary

The proposed Unit Lot Subdivision meets the criteria of SMC 23.24.040 and 045, Short Plats and Unit Lot Subdivisions. Pursuant to the above discussion and the following conditions, it is thereby approved.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Submit the corrected final recording forms for approval and any necessary fees.
2. Correct Item 1 of the Joint Use/Maintenance Agreement. The first sentence pertaining to owner responsibility for individual townhouse maintenance is not complete and is joined with an incomplete sentence pertaining to ingress and egress areas.
3. Change references to "Department of Design, Construction, and Land Use" on all plat sheets and substitute "Department of Planning and Development".
4. Retain the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."
5. Include the attached utility easement from Seattle City Light (SCL) on the face of the plat and in the legal descriptions of effected Unit Lots. The preliminary plat states that an easement has been granted to SCL as shown on page 2 of 2 although one is not shown on any page.
6. Expand the joint maintenance and responsibility agreement to include the shared sanitary sewer line on proposed Parcel B.

Conditions of Approval Prior to Sale or Transfer of Ownership of Either Lot

7. Install separate water service and meters for each proposed lot.

Signature: (signature on file) Date: July 19, 2004
Art Pederson, Land Use Planner

Department of Planning and Development
Land Use Services

Attachments: Attachment A, Seattle City Light Easement PM #240313-3-013

AP:rgc

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